

COMPLAINT

CASE NUMBER: **07BM028**

The CHRB hereby files a complaint against **Gary L. Stute** for violation of CHRB Rule **1843(a)(d), 1843.1(a)(b), 1843.6(d)(1)(2), 1887(a), 1859.5**. The person named in this complaint holds a license as a **trainer**, license number **085929 11/08**. The offense alleged occurred on or about **02-28-07** and is as follows:

On 02-28-07, the horse 'Theory' was presented in the Receiving Barn at Bay Meadows Race Track, San Mateo, prior to the 6th race for TCO2 testing and was assigned #TC90522L. The trainer did not request a split sample. Results of the official blood sample show the presence of Total Carbon Dioxide in the amount of 37.8 mm/l., a prohibited Class III drug substance, in excess of the regulatory level of 37.0 mm/l. The trainer of record for 'Theory' on 02-28-07 was Gary L. Stute.

Pursuant to Business and Professions Code Section 19420, 19440, and CHRB Rules, the stewards are empowered to impose penalties for violation of any provision of the CHRB Rules. Such penalties may consist of suspension of any license, fines, and exclusion from all racing enclosures under the jurisdiction of the Board or by any combination of these penalties.

Date : 03-17-07	Complainant : Sup. Investigator Anne Glasscock
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NOTICE TO APPEAR

To **Gary L. Stute** you are hereby notified to appear before the Board of Stewards at the below listed location, date, and time.

Location: TO BE DETERMINED	Date: TO BE DETERMINED	Time: TO BE DETERMINED
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You are entitled to reasonable notice of the hearing and reasonable time to prepare for the hearing. If you need additional time to prepare for the hearing, you must contact the Board of Stewards within 72 hours of receipt of this notice. All requests for a continuance must be in writing. You should be prepared to justify your request for additional time. Granting or denial of a request for additional time is within the sound discretion of the stewards. The hearing will be conducted in accordance with the GOVERNING PROCEDURES FOR HEARING BEFORE THE BOARD OF STEWARDS, a copy of which is attached to this Complaint and Notice to Appear.

Investigator	Date 03-17-07
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DISPOSITION OF CASE

The stewards have taken the following action on CASE NUMBER:

Steward	Date
Steward	Date
Steward	Date